

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CR-11-063-JHP
	)	
DANIEL WELLS HERRIMAN,	)	
	)	
Defendant.	)	

**ORDER**

Before the Court is the Findings and Recommendation of the United States Magistrate Judge whereby the Magistrate Judge finds Defendant Daniel Wells Herriman does not presently suffer from a mental disease or defect rendering him mentally incompetent to the extent he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Neither Plaintiff, nor Defendant filed an objection to the Report and Recommendation. Upon careful review of the record, this Court finds the Findings and Recommendation is well-reasoned and founded based on applicable law. Accordingly, this Court adopts the Magistrate's Findings and Recommendation as the ruling of this Court.

IT IS SO ORDERED this 1st day of November, 2011.

  
\_\_\_\_\_  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma